

REMARKS

In the Office Action dated June 4, 2003, claims 1-4, 8, 19-24, 27, 28, 30, 31, 33, 35, 37, 39 and 41 were rejected under 35 U.S.C. § 103 over U.S. Patent No. 6,212,548 (DeSimone) in view of U.S. Patent No. 6,549,937 (Auerbach); claims 5 and 6 were rejected under § 103 over DeSimone and Auerbach in view of U.S. Patent No. 6,430,604 (Ogle); claims 7 and 29 were rejected under § 103 over DeSimone and Auerbach in view of U.S. Patent No. 6,038,602 (Ishikawa); and claims 32, 34, 36, 38, 40, and 42 were rejected under § 103 over DeSimone and Auerbach in view of U.S. Patent No. 5,764,916 (Busey).

Applicant acknowledges that the anticipation rejection asserted in the previous Office Action has been withdrawn. However, the claims have now been rejected as being obvious over DeSimone in view of various other references.

The hypothetical combination of DeSimone and Auerbach does not teach or suggest the invention of claim 1. The Office Action conceded that DeSimone does not teach a first community associated with a first service provider and a second community associated with a second, different service provider. This *necessarily* means that DeSimone does not teach any of the following elements of claim 1: (1) receiving, from a server in a first community associated with a first service provider, a request indicating desired real-time, text-based messaging from a first terminal coupled to the first community server to a second terminal coupled to a server in the second community associated with the second, different service provider; and (2) processing the request, by the server in the second community, to establish a real-time, text-based messaging session between the first and second terminals through the first and second community servers.

Auerbach also fails to teach either of the two elements listed above. As best seen in Figure 2 of Auerbach, Auerbach describes a conversion platform 112 that is provided between a client 102 and a plurality of servers associated with respective service providers (106-110). The client 102 and the conversion platform are part of a system designated 100 (Fig. 2). The conversion platform 112 includes a routing module 128

(Figure 3 of Auerbach) and respective SP protocol service modules 130 and 132, each service module to "[interconvert] between the common format used by the API 126 and a unique protocol required by the service providers SP1 and SP2, respectively." Auerbach, 7:23-28.

This architecture of Auerbach is clearly distinguished by the elements of claim 1. Note that claim 1 recites receiving a request from a server in a first community associated with a first service provider, and processing the request by a *server* in a *second* community associated with a second, different service provider, to establish a real-time, text-based messaging session. In contrast, in Auerbach, a common conversion platform 112 is used to perform processing of a request from the client 102. The client 102 and conversion platform 112 are part of the same system 100 on which an application program 104 (providing a user interface to the user) resides. Thus, processing of a request to establish a chat session is not performed by a server associated with a given community--the processing is performed by a common conversion platform (residing in the same system as the client 102) that converts between a first format and each of multiple formats that are recognizable by respective different service providers.

Therefore, Applicant respectfully submits that the hypothetical combination of DeSimone and Auerbach does not teach or suggest the claimed invention.

There also is no motivation to combine the teachings of DeSimone and Auerbach, as there is no need within the DeSimone system of performing real-time, text-based messaging sessions between terminals associated with different community servers. DeSimone teaches only *one* service processor. Therefore, DeSimone would have no need for the common conversion platform 112 of Auerbach, as DeSimone does not have the incompatibility issues discussed in Auerbach. In view of the foregoing, it is respectfully submitted that no motivation or suggestion exists to combine the teachings of Auerbach and DeSimone.

Therefore, claim 1 is allowable over the hypothetical combination of DeSimone and Auerbach.

With respect to independent claim 19, the hypothetical combination of DeSimone and Auerbach does not teach or suggest the recited interface unit and controller. The interface unit of claim 19 (which is in a server associated with a first community) is

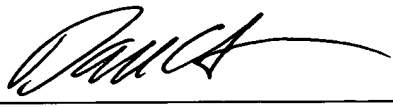
adapted to receive a contact request over the network from an entity associated with another community, with the entity not being logged onto the server, and the contact request indicating a request to establish a text-based messaging session. The controller of claim 19 is adapted to send a notification to the destination terminal of the contact request and to receive an indication from the destination terminal of acceptance of the contact request. Again, claim 19 recites a server of a first community receiving a contact request from an entity associated with another community, and a controller to send a notification of the contact request and to receive an indication of acceptance of the contact request. The hypothetical combination of DeSimone and Auerbach does not teach or suggest these elements.

Similarly, independent claim 20 recites instructions that when executed cause a system in a first community associated with a first service provider to receive a request from a subscriber in a second community associated with a second service provider, and to perform various other acts in response to the request. ~~The processing of a request for a~~ desired text-based messaging session by a system in one community of a request received from another community is not taught or suggested by the hypothetical combination of DeSimone and Auerbach.

In view of the foregoing, each of the pending independent claims are allowable over the cited references. The dependent claims are allowable for at least the same reasons as corresponding independent claims. The Commissioner is authorized to charge any additional fees and/or credit any overpayment to Deposit Account No. 20-1504 (NRT.0010US).

Respectfully submitted,

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Date



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